

30.92 (1) (b) "Governmental unit" means the department, a municipality, a lake sanitary district, a public inland lake protection and rehabilitation district organized under ch. 33, the Milwaukee River revitalization council, the Lower Wisconsin State Riverway board, ~~the Fox River management commission~~ or any other local governmental unit, as defined in s. 66.0131 (1) (a), that is established for the purpose of lake management.

***-1363/1.6* SECTION 679.** 30.92 (4) (a) of the statutes is amended to read:

30.92 (4) (a) The department shall develop and administer, with the approval of the commission, a financial assistance program for governmental units, including itself, and qualified lake associations for the construction and rehabilitation of capital improvements related to recreational boating facilities, for the improvement of locks and facilities which provide access between waterways and for the projects specified in par. (b) 8. ~~No financial assistance under this section may be provided to the Fox River management commission for feasibility studies of construction projects or for construction projects.~~ No financial assistance under this section may be provided to the department other than for projects for access to inland lakes without a public access facility.

***-1363/1.7* SECTION 680.** 30.93 of the statutes is repealed.

***-0469/1.2* SECTION 681.** 31.39 (2m) (c) of the statutes is repealed.

***-0751/1.3* SECTION 682.** Chapter 35 (title) of the statutes is amended to read:

CHAPTER 35

PUBLIC PRINTING; PUBLICATION AND DISTRIBUTION OF LAWS AND

PUBLIC DOCUMENTS

***-0751/1.4* SECTION 683.** 35.001 (2m) of the statutes is created to read:

1 35.001 (2m) "Printing" includes all public printing by means of graphic
2 reproduction by whatever process and the necessary materials and binding. The
3 term also includes reproduction of a document in optical disk format whenever the
4 publishing state agency is authorized to reproduce and determines to reproduce
5 copies of a document in optical disk format in lieu of printed format.

6 *-0751/1.5* **SECTION 684.** 35.01 (intro.) of the statutes is amended to read:

7 **35.01 Public printing; definition and classification.** (intro.) Public
8 printing includes all graphic reproduction by whatever process and the necessary
9 material and binding. Public printing is divided into 7 classes:

10 *-1734/1.25* **SECTION 685.** 35.24 (3) of the statutes is amended to read:

11 35.24 (3) Reprints of the feature article shall be bound in paper covers and shall
12 be in such quantity as is authorized for each specific reprint by the joint committee
13 on legislative organization. The cost of reprints shall be paid from the appropriation
14 under s. 20.765 (1) (d) or (5).

15 *-0751/1.6* **SECTION 686.** 35.27 of the statutes is amended to read:

16 **35.27 Limitation of editions of official reports.** Within 60 calendar days
17 after receiving printer's final proof copy therefor, the department shall have printed
18 and deliver editions of the reports mentioned in s. 35.26 and of any report required
19 by law to be made to the governor or to the legislature if not otherwise limited. The
20 department shall determine for any report the maximum number of copies and pages
21 shall be established by the department for any report, or the length if authorized to
22 be reproduced in optical disk format.

23 *-0751/1.7* **SECTION 687.** 35.50 (1) of the statutes is amended to read:

24 35.50 (1) Specifications for state printing except class 1, including type style
25 and size, page size, titles, paper, form, quality, quantity, binding, and method, or

1 optical disk manufacturing specifications whenever reproduction in optical disk
2 format is authorized, shall be as determined by the department unless specified by
3 statute. Any state agency which objects to such determination may appeal the
4 decision to the governor.

5 ***-0751/1.8* SECTION 688.** 35.50 (4) of the statutes is amended to read:

6 35.50 (4) Whenever possible, state publications printed on paper, other than
7 printing of classes 4 and 5, shall be restricted to finished outside dimensions which
8 shall not exceed 9 by 14 inches and shall not be less than 3 1/2 by 7 inches.

9 ***-0751/1.9* SECTION 689.** 35.51 of the statutes is amended to read:

10 **35.51 Proofs; where received.** Contract printers shall submit proof sheets
11 of all public printing done by them and when requested, revised proof sheets thereof,
12 to the department, regardless of the format to be used for reproduction. When
13 requested by the chief clerk of either house proof sheets of printing of the first class
14 shall be delivered to them.

15 ***-0751/1.10* SECTION 690.** 35.54 of the statutes is amended to read:

16 **35.54 Title pages; names of authors.** Every requisitioning agency shall
17 provide the necessary printer's copy for a suitable title page, containing the name of
18 the author for every book and other document which requires a title page; but on no
19 such publication shall have written or printed thereon there appear, nor shall there
20 be attached thereto, the words "Compliments of" followed by the name of the author,
21 nor any other words of similar purport.

22 ***-0751/1.11* SECTION 691.** 35.55 of the statutes is amended to read:

23 **35.55 Editing printer's copy.** Printer's copy must accompany every
24 requisition. The editors of all state agencies may edit for themselves the matter and
25 form of the contents of the printer's copy presented by them respectively to the

1 department. All printer's copy which does not conform to accepted trade practices,
2 and, in the opinion of the department is unsatisfactory, shall be returned to its author
3 for revision and correction. An optical disk copy may be substituted if the document
4 being published is authorized to be reproduced in optical disk format.

5 ***-0751/1.12*** SECTION 692. 35.57 of the statutes is amended to read:

6 **35.57 Advertisement for bids.** The department shall publish
7 advertisements that sealed proposals for furnishing printing, during the next
8 ensuing contract period, with all other material which the department requires, will
9 be received any time prior to a specified day, when all proposals will be publicly
10 opened and read. The advertisements shall be run as class 2 notices, under ch. 985,
11 in the official state paper. Separate advertisements may be used for publications
12 authorized to be published in optical disk format.

13 ***-1734/1.26*** SECTION 693. 35.91 (1) of the statutes is amended to read:

14 35.91 (1) The latest edition of the Wisconsin statutes shall be sold at a price,
15 calculated to the nearest dollar, to be fixed by the department, based on cost plus 75%
16 of the revisor's expenditures under s. 20.765 (3) (a) ~~or (5)~~ during the preceding
17 biennium. The department may sell noncurrent editions of the Wisconsin statutes
18 and Wisconsin annotations at reduced prices to be fixed by it.

19 ***-1734/1.27*** SECTION 694. 35.93 (9) of the statutes is amended to read:

20 35.93 (9) The department shall charge the legislature under s. 20.765 (1) (d)
21 ~~or (5)~~ for the cost of distribution of the code and the register, including the costs
22 specified in s. 35.80, and shall deposit all revenues received from their sale into the
23 general fund.

24 ***-0984/4.10*** SECTION 695. 36.09 (1) (e) of the statutes is repealed and
25 recreated to read:

1 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
2 each institution; a dean for each college campus; the state geologist; the director of
3 the laboratory of hygiene; the director of the psychiatric institute; the state
4 cartographer with the advice of the department of administration; and the requisite
5 number of officers, other than the vice presidents, associate vice presidents, and
6 assistant vice presidents of the system; faculty; academic staff; and other employees
7 and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and
8 230.12 (3) (e), the duties and the term of office for each. The board shall fix the
9 salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3)
10 (e), and the duties for each chancellor, vice president, associate vice president, and
11 assistant vice president of the system. No sectarian or partisan tests or any tests
12 based upon race, religion, national origin, or sex shall ever be allowed or exercised
13 in the appointment of the employees of the system.

14 *–0984/4.11* **SECTION 696.** 36.25 (12m) (intro.) of the statutes is repealed and
15 recreated to read:

16 36.25 (12m) **STATE CARTOGRAPHER.** (intro.) In coordination and consultation
17 with the department of administration, the state cartographer shall:

18 *–1858/2.3* **SECTION 697.** 36.25 (14) of the statutes is amended to read:

19 36.25 (14) **GRADUATE STUDENT FINANCIAL AID.** The board shall establish a grant
20 program for minority and disadvantaged graduate students enrolled in the system.
21 The grants shall be awarded from the ~~appropriations~~ appropriation under s. 20.285
22 (4) (b) ~~and (gm)~~. The board shall give preference in awarding grants under this
23 subsection to residents of this state. The board may not make a grant under this
24 subsection to a person whose name appears on the statewide support lien docket
25 under s. 49.854 (2) (b), unless the person provides to the board a payment agreement

1 that has been approved by the county child support agency under s. 59.53 (5) and that
2 is consistent with rules promulgated under s. 49.858 (2) (a).

3 ***-0368/1.1* SECTION 698.** 36.27 (2) (b) 4. of the statutes is amended to read:

4 36.27 (2) (b) 4. A person who has served on active duty under honorable
5 conditions in the U.S. armed forces or in forces incorporated in the U.S. armed forces,
6 except service on active duty for training purposes, who was a resident of this state
7 at the time of entry or reentry into active duty, who is a resident of and living in this
8 state at the time of registering at an institution, and who meets one of the conditions
9 in s. 45.001 (4) (a) 1. a. to d., ~~and who is a resident for the purposes of receiving~~
10 ~~benefits under ch. 45~~ is entitled to the exemption under par. (a).

11 ***-1521/3.1* SECTION 699.** 36.27 (2) (cr) of the statutes is created to read:

12 36.27 (2) (cr) A person who is a citizen of a country other than the United States
13 is entitled to the exemption under par. (a) if that person meets all of the following
14 requirements:

15 1. The person graduated from a high school in this state or received a high
16 school graduation equivalency from this state.

17 2. The person was continuously present in this state for at least three years
18 following the first day of attending a high school in this state.

19 3. The person enrolls in an institution and provides that institution with an
20 affidavit stating that the person has filed or will file an application for a permanent
21 resident visa with U.S. Citizenship and Immigration Services as soon as the person
22 is eligible to do so.

23 ***-1840/1.1* SECTION 700.** 36.27 (3) (a) of the statutes is amended to read:

24 36.27 (3) (a) To a number of needy and worthy nonresident students upon the
25 basis of merit, to be shown by suitable tests, examinations or scholastic records and

1 continued high standards of scholastic attainment. ~~The aggregate amount of these~~
2 ~~nonresident remissions of tuition shall not exceed an amount equal to full remissions~~
3 ~~for 8% of the number of nonresident students registered at that institution in the~~
4 ~~preceding year, excluding those students participating in interstate agreements~~
5 ~~under s. 39.42.~~

6 ***-1840/1.2* SECTION 701.** 36.27 (3) (b) of the statutes is amended to read:

7 36.27 (3) (b) To additional individual students who, in the judgment of the
8 board, are deserving of relief from the assessment of nonresident tuition because of
9 extraordinary circumstances. ~~The aggregate amount of these nonresident~~
10 ~~remissions of tuition shall not exceed an amount equal to full remissions for 2% of~~
11 ~~the number of nonresident students registered in the preceding year, excluding those~~
12 ~~students participating in interstate agreements under s. 39.42.~~

13 ***-1840/1.3* SECTION 702.** 36.27 (3) (c) of the statutes is amended to read:

14 36.27 (3) (c) The board may remit nonresident tuition, in whole or in part, but
15 no other fees, except in special circumstances as approved by the chancellor, to
16 worthy and needy foreign students and to students who are United States citizens
17 but whose residence is not in the United States. ~~The number of such remissions~~
18 ~~which may be awarded in any academic year at an institution shall not exceed 2%~~
19 ~~of the total full-time enrollment of students at that institution for the preceding~~
20 ~~academic year.~~

21 ***-1541/1.1* SECTION 703.** 36.28 of the statutes is repealed.

22 ***-1858/2.4* SECTION 704.** 36.34 (1) (b) of the statutes is amended to read:

23 36.34 (1) (b) The board shall establish a grant program for minority
24 undergraduates enrolled in the system. The board shall designate all grants under
25 this subsection as Lawton grants. Grants shall be awarded from the appropriations

1 appropriation under s. 20.285 (4) (dd) and (g). The board may not make a grant under
2 this subsection to a person whose name appears on the statewide support lien docket
3 under s. 49.854 (2) (b), unless the person provides to the board a payment agreement
4 that has been approved by the county child support agency under s. 59.53 (5) and that
5 is consistent with rules promulgated under s. 49.858 (2) (a).

6 ***-1532/3.7* SECTION 705.** 36.54 (2) (b) of the statutes is amended to read:

7 36.54 (2) (b) From the appropriations under s. 20.285 (1) (ee), (j), (r) and (rc),
8 the environmental education board shall award grants to corporations and public
9 agencies for the development, dissemination and presentation of environmental
10 education programs. Programs shall be funded on an 18-month basis. The
11 environmental education board may not award a grant unless the grant recipient
12 matches at least 25% of the amount of the grant. Private funds and in-kind
13 contributions may be applied to meet the matching requirement. Grants under this
14 paragraph may not be used to replace funding available from other sources.

15 ***-1532/3.8* SECTION 706.** 36.54 (2) (c) of the statutes is amended to read:

16 36.54 (2) (c) The environmental education board shall promulgate rules
17 establishing the criteria and procedures for the awarding of grants for programs and
18 projects under par. (b). The environmental education board shall use the priorities
19 established under sub. (1) for awarding grants if the amount in the appropriations
20 under s. 20.285 (1) (ee), (j), (r) and (rc) in any fiscal year is insufficient to fund all
21 applications under this subsection.

22 ***-1636/2.3* SECTION 707.** 38.04 (23) (intro.) of the statutes is amended to read:

23 38.04 (23) WORKPLACE LITERACY RESOURCE CENTER. (intro.) ~~From the~~
24 ~~appropriation under s. 20.292 (1) (bm), the~~ The board shall operate a workplace

1 literacy resource center. The workplace literacy resource center shall do all of the
2 following:

3 ***-1521/3.2* SECTION 708.** 38.22 (6) (e) of the statutes is created to read:

4 38.22 (6) (e) Any person who is a citizen of a country other than the United
5 States if that person meets all of the following requirements:

6 1. The person graduated from a high school in this state or received a high
7 school graduation equivalency from this state.

8 2. The person was continuously present in this state for at least three years
9 following the first day of attending a high school in this state.

10 3. The person enrolls in a district school and provides the district board with
11 an affidavit stating that the person has filed or will file an application for a
12 permanent resident visa with U.S. Citizenship and Immigration Services as soon as
13 the person is eligible to do so.

14 ***-1636/2.4* SECTION 709.** 38.24 (1s) (b) of the statutes is amended to read:

15 38.24 (1s) (b) A ~~short-term~~, professional development, vocational-adult
16 seminar or workshop, consisting of no more than 24 hours of instruction, offered to
17 individuals who are employed in a related field. ~~The additional fee may not exceed~~
18 ~~an amount equal to the full cost of the seminar or workshop less the fee under sub.~~
19 ~~(1m).~~ Annually the district board shall report to the board the courses for which an
20 additional fee was charged under this paragraph and the amount of the additional
21 fee.

22 ***-0113/2.2* SECTION 710.** 38.28 (1m) (a) 1. of the statutes is amended to read:

23 38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a
24 technical college district, including debt service charges for district bonds and
25 promissory notes for building programs or capital equipment, but excluding all

1 expenditures relating to auxiliary enterprises and community service programs, all
2 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
3 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), and 118.55 (7r), and 146.55 (5),
4 all receipts from grants awarded under ss. 38.04 (8), (20), (28), and (31), 38.14 (11),
5 38.26, 38.27, 38.33, and 38.38, all fees collected under s. 38.24, and driver education
6 and chauffeur training aids.

7 ***-1560/3.18* SECTION 711.** 38.28 (3) of the statutes is amended to read:

8 38.28 (3) If the appropriation for state aid under s. 20.292 (1) ~~(fe)~~ (u) in any one
9 year is insufficient to pay the full amount under subs. (2) (c) and (g), funds in the
10 appropriation shall be used first for the purposes of sub. (2) (c) and any remaining
11 funds shall be prorated among the districts entitled to support under sub. (2) (g). If
12 the appropriation for state aid under s. 20.292 (1) ~~(fe)~~ (u) in any one year is
13 insufficient to pay the full amount under sub. (2) (c), funds in the appropriation shall
14 be prorated among the districts entitled to the funds.

15 ***-1560/3.19* SECTION 712.** 38.29 (2) (c) of the statutes is amended to read:

16 38.29 (2) (c) Amounts awarded shall be paid from the appropriation under s.
17 20.292 (1) ~~(fg)~~ (v).

18 ***-1594/P2.2* SECTION 713.** 38.34 (3) of the statutes is created to read:

19 38.34 (3) The board may not award a grant to a corporation or foundation
20 created for the benefit of a district.

21 ***-1306/2.7* SECTION 714.** 38.40 (title) of the statutes is repealed.

22 ***-1306/2.8* SECTION 715.** 38.40 (1) of the statutes is repealed.

23 ***-1306/2.9* SECTION 716.** 38.40 (1m) (intro.) of the statutes is repealed.

24 ***-1306/2.10* SECTION 717.** 38.40 (1m) (b) of the statutes is renumbered 106.13
25 (1) (b).

1 *–1306/2.11* SECTION 718. 38.40 (1m) (c) of the statutes is renumbered 106.13
2 (1) (c).

3 *–1306/2.12* SECTION 719. 38.40 (2) of the statutes is repealed.

4 *–1306/2.13* SECTION 720. 38.40 (2m) of the statutes is repealed.

5 *–1306/2.14* SECTION 721. 38.40 (4m) (title) of the statutes is repealed.

6 *–1306/2.15* SECTION 722. 38.40 (4m) (a) of the statutes is renumbered 106.13
7 (4m) (a) and amended to read:

8 106.13 (4m) (a) The board may approve an innovative school-to-work program
9 provided by a nonprofit organization for children at risk, as defined in s. 118.153 (1)
10 (a), in a county having a population of 500,000 or more to assist those children at risk
11 in acquiring employability skills and occupational-specific competencies before
12 leaving high school. If the board approves a program under this paragraph, the
13 board may award a grant, from the appropriation under s. ~~20.292 (1)~~ 20.445 (7) (ef),
14 to the nonprofit organization providing the program and the nonprofit organization
15 shall use the funds received under the grant to provide the program.

16 *–1306/2.16* SECTION 723. 38.40 (4m) (b) of the statutes is renumbered 106.13
17 (4m) (b).

18 *–1306/2.17* SECTION 724. 38.40 (5) of the statutes is repealed.

19 *–1510/2.7* SECTION 725. 38.50 (11) of the statutes is created to read:

20 38.50 (11) CLOSED SCHOOLS; PRESERVATION OF RECORDS. (a) In this subsection:

21 1. Notwithstanding sub. (1) (e), “school” has the meaning given in sub. (1) (e)
22 (intro.) and also includes a school described in sub. (1) (e) 1., 6., 7., or 8.

23 2. “Student record” means, in the case of a school, as defined in sub. (1) (e)
24 (intro.), a transcript for a student or former student of a school showing the name of
25 the student, the title of the program in which the student was or is enrolled, the total

1 number of credits or hours of instruction completed by the student, the dates of
2 enrollment, the grade for each course, lesson, or unit of instruction completed by the
3 student, the student's cumulative grade for the program, and an explanation of the
4 school's credit and grading system. In the case of a school described in sub. (1) (e) 1.,
5 6., 7., or 8., "student record" means a transcript for a student or former student of the
6 school showing such information about the academic work completed by the student
7 or former student as is customarily maintained by the school.

8 (b) If a school operating in this state discontinues its operations, proposes to
9 discontinue its operations, or is in imminent danger of discontinuing its operations
10 as determined by the board and if the board determines that the student records of
11 the school are in danger of being destroyed, secreted, mislaid, or otherwise made
12 unavailable to the persons who are the subjects of those student records or the
13 authorized representatives of those persons, the board may take possession of those
14 student records. If necessary to protect student records from being destroyed,
15 secreted, mislaid, or otherwise made unavailable to the persons who are the subjects
16 of those student records or the authorized representatives of those persons, the board
17 may seek a court order authorizing the board to take possession of those student
18 records.

19 (c) The board shall preserve a student record that comes into the possession of
20 the board under par. (b) and shall keep the student record confidential as provided
21 under 20 USC 1232g and 34 CFR Part 99. A student record in the possession of the
22 board is not open to public inspection or copying under s. 19.35 (1). Upon request of
23 the person who is the subject of a student record or an authorized representative of
24 that person, the board shall provide a copy of the student record to the requester. The
25 board may charge a fee for providing a copy of a student record. The fee shall be based

1 on the administrative cost of taking possession of, preserving, and providing the copy
2 of the student record. All fees collected under this paragraph shall be credited to the
3 appropriation account under s. 20.292 (2) (i).

4 ***-1789/1.1* SECTION 726.** 39.435 (3) of the statutes is amended to read:

5 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one
6 academic year, unless the joint committee on finance approves an adjustment in the
7 amount of the minimum grant. Grants under sub. (1) shall not exceed \$2,500 \$3,000
8 during any one academic year. The board shall, by rule, establish a reporting system
9 to periodically provide student economic data and shall promulgate other rules the
10 board deems necessary to assure uniform administration of the program.

11 ***-1803/1.2* SECTION 727.** 39.435 (7) (a) 1. of the statutes is amended to read:

12 39.435 (7) (a) 1. For purposes of ~~determining the appropriation~~ calculating the
13 amount to be appropriated under s. 20.235 (1) (fe) for fiscal year 2005–06 2007–08,
14 “base amount” means the amount shown in the schedule under s. 20.005 for that
15 appropriation for fiscal year 2004–05 2006–07.

16 ***-1803/1.3* SECTION 728.** 39.435 (7) (a) 2. of the statutes is amended to read:

17 39.435 (7) (a) 2. For purposes of ~~determining the appropriation~~ calculating the
18 amount to be appropriated under s. 20.235 (1) (fe) for each fiscal year after fiscal year
19 2005–06 2007–08, “base amount” means the maximum appropriation amount
20 determined calculated under par. (b) for the previous fiscal year.

21 ***-1803/1.4* SECTION 729.** 39.435 (7) (b) (intro.) of the statutes is amended to
22 read:

23 39.435 (7) (b) (intro.) Annually, beginning on February 1, 2005 2007, the board
24 shall ~~determine the appropriation~~ calculate the amount to be appropriated under s.
25 20.235 (1) (fe) for the next fiscal year as follows:

1 ***-1861/2.3* SECTION 730.** 39.435 (8) of the statutes is amended to read:

2 39.435 (8) The board shall award grants under this section to University of
3 Wisconsin System students from the ~~appropriations~~ appropriation under s. 20.235
4 (1) (fe) and (ke).

5 ***-0752/2.10* SECTION 731.** 39.76 (1) of the statutes is amended to read:

6 39.76 (1) STATE REPRESENTATION ON THE EDUCATION COMMISSION OF THE STATES.
7 There is created a 7-member delegation to represent the state of Wisconsin on the
8 education commission of the states. The delegation shall consist of the governor, the
9 state superintendent of public instruction, one senator and one representative to the
10 assembly selected as are the members of standing committees in their respective
11 houses, and 3 members appointed by the governor in compliance with s. 39.75 (3) (a)
12 who shall serve at the pleasure of the governor. The chairperson of the delegation
13 shall be designated by the governor from among its members. Members Except as
14 provided in sub. (1m), members of the delegation shall serve without compensation
15 but shall be reimbursed for actual and necessary expenses incurred in the
16 performance of their duties from the appropriation in s. 20.505 (4) (ba). Annual
17 Except as provided in sub. (1m), annual commission membership dues shall be paid
18 from the appropriation in s. 20.505 (4) (ba).

19 ***-0752/2.11* SECTION 732.** 39.76 (1m) of the statutes is created to read:

20 39.76 (1m) Payments under sub. (1) may be reduced or eliminated if funding
21 for the payments is reduced or eliminated under s. 20.505 (4) (ba).

22 ***-1966/2* SECTION 733.** 40.02 (20) of the statutes is renumbered 40.02 (20)
23 (intro.) and amended to read:

24 40.02 (20) (intro.) "Dependent" means the;

1 (a) Except as provided in par. (b), the spouse, minor child, including
2 stepchildren of the current marriage dependent on the employee for support and
3 maintenance, or child of any age, including stepchildren of the current marriage, if
4 handicapped to an extent requiring continued dependence. For group insurance
5 purposes only, the department may promulgate rules with a different definition of
6 “dependent” than the one otherwise provided in this subsection paragraph for each
7 group insurance plan.

8 ***-1966/2* SECTION 734.** 40.02 (20) (b) of the statutes is created to read:

9 40.02 (20) (b) For a state employee or for an annuitant who was employed by
10 a state agency on the day on which he or she terminated covered employment, the
11 spouse, domestic partner, minor child, including stepchildren of the current
12 marriage or children of a domestic partner dependent on the employee for support
13 and maintenance, or child of any age, including stepchildren of the current marriage
14 or children of a domestic partner, if handicapped to an extent requiring continued
15 dependence.

16 ***-1966/2* SECTION 735.** 40.02 (21c) of the statutes is created to read:

17 40.02 (21c) “Domestic partner” means an individual in a domestic partnership.

18 ***-1966/2* SECTION 736.** 40.02 (21d) of the statutes is created to read:

19 40.02 (21d) “Domestic partnership” means a relationship between 2
20 individuals that satisfies all of the following:

21 (a) Each individual is at least 18 years old and otherwise competent to enter
22 into a contract.

23 (b) Neither individual is married to, or in a domestic partnership with, another
24 individual.

1 (c) The 2 individuals are not related by blood in any way that would prohibit
2 marriage under s. 765.03.

3 (d) The 2 individuals consider themselves to be members of each other's
4 immediate family.

5 (e) The 2 individuals agree to be responsible for each other's basic living
6 expenses.

7 ***-0280/1.2* SECTION 737.** 40.03 (2) (b) of the statutes is amended to read:

8 40.03 (2) (b) Shall employ and select administrative, clerical or other
9 employees as required for the administration of this chapter and establish the
10 internal organization of the department, ~~but the department shall always maintain~~
11 ~~an office in Milwaukee.~~

12 ***-0279/2.2* SECTION 738.** 40.04 (2) (d) of the statutes is amended to read:

13 40.04 (2) (d) The costs of investing the assets of the benefit plans and
14 retirement systems, including all costs due to s. 40.03 (1) (n), and the costs of legal
15 counsel employed or selected under s. 40.03 (1) (c) shall be paid from the
16 appropriation under s. 20.515 (1) (r) and charged directly against the appropriate
17 investment income or reserve accounts of the benefit plan or retirement system
18 receiving the services.

19 ***-1260/2.2* SECTION 739.** 40.51 (1) of the statutes is amended to read:

20 40.51 (1) The procedures and provisions pertaining to enrollment, premium
21 transmitted and coverage of eligible employees and employees eligible for health
22 care coverage under s. 40.515 for health care benefits shall be established by contract
23 or rule except as otherwise specifically provided by this chapter.

24 ***-1260/2.3* SECTION 740.** 40.515 of the statutes is created to read:

1 **40.515 Health care coverage for employees of the Wisconsin Historical**
2 **Foundation, Inc.** If the historical society has entered into a contract with the
3 Wisconsin Historical Foundation, Inc., for any of the purposes specified in s. 44.015
4 (7), any employee of the Wisconsin Historical Foundation, Inc., who was previously
5 employed by the historical society is eligible to receive health care coverage under
6 a plan offered to state employees under s. 40.51 (6), subject to enrolling in the plan
7 during any applicable enrollment period and to any conditions established by
8 contract or by rule under s. 40.51 (1).

9 *-1227/1.3* **SECTION 741.** 41.17 (5) of the statutes is amended to read:

10 41.17 (5) **FUNDING SOURCE.** Subject to the 50% limitation under s. 20.380 (1) (b)
11 and the proportional expenditure requirements under s. 20.380 (1) (b) and (kg), the
12 department shall expend, from the appropriations under s. 20.380 (1) (b) and, (kg),
13 and (v), at least \$1,130,000 in the aggregate in each fiscal year in joint effort
14 marketing funds under this section.

15 *-1260/2.4* **SECTION 742.** 44.015 (7) of the statutes is amended to read:

16 44.015 (7) Contract with the Wisconsin Historical Foundation, Inc., or any
17 other nonstock, nonprofit corporation under ch. 181 for the purposes of
18 administering the historical society's membership program, soliciting and accepting
19 contributions, gifts, grants, and bequests for the historical society, marketing the
20 historical society's goods and services, providing support for the operation,
21 management, and development of the historical society's programs, and performing
22 other functions approved by the board of curators. If the Wisconsin Historical
23 Foundation, Inc., enters into a contract with the historical society for any purpose
24 under this subsection, the Wisconsin Historical Foundation, Inc. shall provide health

1 care coverage under s. 40.515 to its employees who were previously employed by the
2 historical society.

3 *–1648/2.14* **SECTION 743.** 44.53 (1) (fm) of the statutes is created to read:

4 44.53 (1) (fm) Conduct a program identical to that described in par. (f), but only
5 for American Indian individuals and groups. The program shall be funded from the
6 appropriation under s. 20.215 (1) (km).

7 *–1648/2.15* **SECTION 744.** 44.53 (2) (am) of the statutes is created to read:

8 44.53 (2) (am) Enter into contracts with American Indian individuals,
9 organizations and institutions and American Indian tribal governments for services
10 furthering the development of the arts and humanities.

11 *–0328/4.4* **SECTION 745.** 45.16 of the statutes is amended to read:

12 **45.16 Burial allowance.** Each county veterans' service officer shall cause to
13 be interred in a decent and respectable manner in any cemetery in this state, other
14 than those used exclusively for the burial of paupers, the body of any person who was
15 living in the county at the time of death, meets the definition of a "veteran" under
16 s. 45.35–(5) 45.001 (4) and who dies not leaving sufficient means to defray the
17 necessary expenses of a decent burial, or under financial circumstances that would
18 distress the person's family to pay the expenses of the burial, and the body of a spouse
19 or surviving spouse of the person who dies not leaving such means or under the same
20 financial circumstances and who was living in the county at the time of death, at an
21 expense to the county of not more than \$300 in addition to the burial allowance
22 payable under laws administered by the U.S. department of veterans affairs.

23 *–0325/1.2* **SECTION 746.** 45.19 (1) of the statutes is amended to read:

24 45.19 (1) The department shall administer a program to coordinate the
25 provision of military honors funerals to deceased veterans by local units of member

1 organizations of the council on veterans programs and by members of the Wisconsin
2 national guard activated under s. 21.11 (3). ~~From the appropriation under s. 20.485~~
3 ~~(2) (q), the department shall reimburse a local unit of a member organization of the~~
4 ~~council on veterans programs for the costs of providing a military honors funeral to~~
5 ~~a deceased veteran. The reimbursement may not exceed \$50 for each military honors~~
6 ~~funeral.~~

7 *~~0328/4.5~~* SECTION 747. 45.25 (1) of the statutes is created to read:

8 45.25 (1) DEFINITIONS. In this section:

9 (a) "Institution of higher education" has the meaning given in 20 USC 1001 (a).

10 (b) "Median household income" means the median family income for the state,
11 as determined annually by the U.S. department of housing and urban development.

12 (c) "Part-time classroom study" means any of the following:

13 1. Enrollment in courses for which no more than 11 semester or the equivalent
14 trimester or quarter credits will be given upon satisfactory completion.

15 2. Enrollment in courses during a summer semester or session.

16 (d) "Tuition," when referring to the University of Wisconsin System, means
17 "academic fees," as described in s. 36.27 (1), and when referring to the technical
18 colleges, means "program fees," as described in s. 38.24 (1m) (a) and (b).

19 *~~0328/4.6~~* SECTION 748. 45.25 (1g) of the statutes is repealed.

20 *~~0328/4.7~~* SECTION 749. 45.25 (1m) of the statutes is renumbered 45.25 (1m)

21 (a) and amended to read:

22 45.25 (1m) (a) The department shall administer a tuition reimbursement
23 program for eligible veterans enrolling as undergraduates in any institution of
24 higher education, ~~as defined in s. 45.396 (1) (a),~~ in this state, enrolling in a school that
25 is approved under s. 45.35 (9m), enrolling in a proprietary school that is approved

under s. ~~45.54~~, 38.50, enrolling in a public or private high school, or receiving a waiver of nonresident tuition under s. 39.47.

****NOTE: This is reconciled s. 45.25 (1m) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-0328, LRB-1510.

***-0328/4.8* SECTION 750.** 45.25 (2) (intro.) (except 45.25 (2) (title)) of the statutes is renumbered 45.25 (2) (a) (intro.).

***-0328/4.9* SECTION 751.** 45.25 (2) (a) of the statutes is renumbered 45.25 (2) (a) 1. and amended to read:

45.25 (2) (a) 1. The annual income of the veteran and his or her spouse does not exceed the ~~amount under s. 45.396 (7) (a)~~ median household income for the state.

***-0328/4.10* SECTION 752.** 45.25 (2) (c) of the statutes is renumbered 45.25 (2) (a) 2. and amended to read:

45.25 (2) (a) 2. The veteran applies for the tuition reimbursement program for courses begun within 10 years after separation from the service. This subdivision does not apply to a veteran who is applying for reimbursement for up to 60 credits of part-time classroom study courses.

***-0328/4.11* SECTION 753.** 45.25 (2) (cm) of the statutes is created to read:

45.25 (2) (cm) A veteran is not eligible under this program if the veteran has an undergraduate degree from any institution of higher education.

***-0328/4.12* SECTION 754.** 45.25 (2) (d) of the statutes is renumbered 45.25 (2) (a) 3.

***-0328/4.13* SECTION 755.** 45.25 (2) (e) of the statutes is repealed.

***-0328/4.14* SECTION 756.** 45.25 (3) (a) of the statutes is amended to read:

45.25 (3) (a) ~~Except as provided in par. (am), a~~ A veteran who meets the eligibility requirements under sub. (2), may be reimbursed upon satisfactory

1 completion of ~~a full-time~~ an undergraduate semester in any institution of higher
2 education, ~~as defined in s. 45.396 (1) (a), in this state, or upon satisfactory completion~~
3 of a course at any school that is approved under s. 45.35 (9m), any proprietary school
4 that is approved under s. 45.54, 38.50, any public or private high school, or any
5 institution from which the veteran receives a waiver of nonresident tuition under s.
6 39.47, ~~may be reimbursed an amount. Except as provided in sub. (5), the amount of~~
7 reimbursement may not to exceed the total cost of the veteran's tuition minus any
8 grants or scholarships that the veteran receives specifically for the payment of the
9 tuition, or, if the tuition is for an undergraduate semester in any institution of higher
10 education, the standard cost of tuition for a state resident for an equivalent
11 undergraduate semester at the University of Wisconsin–Madison, whichever is less.
12 ~~Reimbursement is available only for tuition that is part of a curriculum that is~~
13 ~~relevant to a degree in a particular course of study at the institution.~~

****NOTE: This is reconciled s. 45.25 (3) (a). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0328, LRB-1510.

14 ***-0328/4.15* SECTION 757.** 45.25 (3) (am) of the statutes is repealed.

15 ***-0328/4.16* SECTION 758.** 45.25 (3) (b) 1. of the statutes is amended to read:

16 45.25 (3) (b) 1. Be completed and received by the department no later than 60
17 days after the completion of the semester or course. The department may accept an
18 application received more than 60 days after the completion of the semester or course
19 if the applicant shows good cause for the delayed receipt.

20 ***-0328/4.17* SECTION 759.** 45.25 (3) (c) of the statutes is amended to read:

21 45.25 (3) (c) Reimbursement provided under this section shall be paid from the
22 appropriation under s. 20.485 (2) (tf). If the amount of funds applied for exceeds the
23 amount available under s. 20.485 (2) (tf), the department may reduce the

1 reimbursement percentage, except to disabled veterans who are eligible for 100
2 percent of tuition and fees under sub. (5), or deny applications for reimbursement
3 that would otherwise qualify under this section. In those cases, the department shall
4 determine the reimbursement percentage, except to disabled veterans who are
5 eligible for 100 percent of tuition and fees under sub. (5), and eligibility on the basis
6 of the dates on which applications for reimbursement were received.

7 ***-0328/4.18* SECTION 760.** 45.25 (3) (d) (intro.) of the statutes is amended to
8 read:

9 45.25 (3) (d) (intro.) Reimbursement of tuition and fees for a course may be
10 provided at an institution or school under par. (a) other than the one from which the
11 veteran is receiving his or her degree or certificate of graduation or course completion
12 if all of the following apply:

13 ***-0328/4.19* SECTION 761.** 45.25 (4) (a) of the statutes is renumbered 45.25 (4)
14 (a) (intro.) and amended to read:

15 45.25 (4) (a) (intro.) A ~~veteran is not eligible~~ veteran's eligibility for
16 reimbursement under sub. (2) ~~for more than 120 credits or 8 full semesters of~~
17 ~~full-time study at any institution of higher education, as defined in s. 45.396 (1) (a),~~
18 ~~in this state, 60 credits or 4 full semesters of full-time study at any institution of~~
19 ~~higher education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon~~
20 ~~completion of 60 credits, or an equivalent amount of credits at a school that is~~
21 ~~approved under s. 45.35 (9m), at a proprietary school that is approved under s. 45.54,~~
22 38.50, at a public or private high school, or at an institution where he or she is
23 receiving a waiver of nonresident tuition under s. 39.47- is limited to the following:

****NOTE: This is reconciled s. 45.25 (4) (a) (intro.). This SECTION has been affected
by drafts with the following LRB numbers: LRB-0328, LRB-1510.

1 ***-0328/4.20* SECTION 762.** 45.25 (4) (a) 1. to 3. of the statutes are created to
2 read:

3 45.25 (4) (a) 1. If the veteran served on active duty, except service on active duty
4 for training purposes, for 90 to 180 days, the veteran may be reimbursed for a
5 maximum of 30 credits or 2 semesters, or an equivalent amount of credits or
6 semesters if at a school other than an institution of higher education.

7 2. If the veteran served on active duty, except service on active duty for training
8 purposes, for 181 to 730 days, the veteran may be reimbursed for a maximum of 60
9 credits or 4 semesters, or an equivalent amount of credits or semesters if at a school
10 other than an institution of higher education.

11 3. If the veteran served on active duty, except service on active duty for training
12 purposes, for more than 730 days, the veteran may be reimbursed for a maximum
13 of 120 credits or 8 semesters, or an equivalent amount of credits or semesters if at
14 a school other than an institution of higher education.

15 ***-0328/4.21* SECTION 763.** 45.25 (4) (c) of the statutes is amended to read:

16 45.25 (4) (c) A veteran may not receive reimbursement under sub. (2) for any
17 semester in which he or she is eligible for or received a grant under s. 21.49 or ~~45.396~~
18 under 10 USC 2007.

19 ***-0329/3.3* SECTION 764.** 45.348 (title) and (1) (intro.) of the statutes are
20 amended to read:

21 **45.348 (title) Dependent and child care defined for ss. 45.35, ~~45.351~~, and**
22 **45.356. (1) (intro.)** In this section and ss. 45.35, ~~45.351~~, and 45.356 unless otherwise
23 modified, “child” means any natural child, any legally adopted child, any stepchild
24 or child if a member of the veteran’s household, or any nonmarital child if the veteran
25 acknowledges paternity or paternity has been otherwise established.

1 ***-0329/3.4* SECTION 765.** 45.348 (2) (a) (intro.) of the statutes is amended to
2 read:

3 45.348 (2) (a) (intro.) In ss. s. 45.35 and 45.351, “dependent” includes any of the
4 following:

5 ***-0328/4.22* SECTION 766.** 45.35 (4) (a) of the statutes is amended to read:

6 45.35 (4) (a) The secretary shall appoint under the classified service such
7 persons as are necessary to carry out the policy of the board and for the proper
8 conduct of the Wisconsin Veterans Museum. All persons appointed by the
9 department shall, if possible, be veterans as defined in sub. ~~(5)~~ 45.001 (4) and
10 preference shall be given to disabled veterans.

11 ***-0328/4.23* SECTION 767.** 45.35 (5) of the statutes is repealed.

12 ***-0328/4.24* SECTION 768.** 45.35 (8) (b) 4. of the statutes is repealed.

13 ***-0322/1.1* SECTION 769.** 45.35 (14) (h) of the statutes is amended to read:

14 45.35 (14) (h) To provide grants to the governing bodies of federally recognized
15 American Indian tribes and bands from the appropriation under s. 20.485 (2) ~~(vz)~~
16 (km) if that governing body enters into an agreement with the department regarding
17 the creation, goals and objectives of a tribal veterans’ service officer, appoints a
18 veteran to act as a tribal veterans’ service officer and gives that veteran duties
19 similar to the duties described in s. 45.43 (5), except that the veteran shall report to
20 the governing body of the tribe or band. The department may make annual grants
21 of up to ~~\$2,500~~ \$10,000 under this paragraph and shall promulgate rules to
22 implement this paragraph.

23 ***-0329/3.5* SECTION 770.** 45.35 (17) (c) 1m. (intro.) of the statutes is amended
24 to read:

1 45.35 (17) (c) 1m. (intro.) The department shall declare immediately due and
2 payable any loan made after July 29, 1979 under a program administered by the
3 department under ~~s. 45.351 or~~ subch. II, if it finds that the loan was granted to an
4 ineligible person due to any of the following circumstances:

5 ***-0329/3.6* SECTION 771.** 45.35 (17) (c) 2. (intro.) of the statutes is amended
6 to read:

7 45.35 (17) (c) 2. (intro.) Loan application forms processed by the department
8 for programs administered under ~~s. 45.351 or~~ subch. II shall:

9 ***-0329/3.7* SECTION 772.** 45.35 (17) (c) 3. of the statutes is amended to read:

10 45.35 (17) (c) 3. The department shall incorporate the payment acceleration
11 requirements of subd. 1m. in all loan documents for programs administered by the
12 department under ~~s. 45.351 or~~ subch. II.

13 ***-0329/3.8* SECTION 773.** 45.351 of the statutes is repealed and recreated to
14 read:

15 **45.351 Assistance to needy veterans.** (1) SUBSISTENCE AID. (a) The
16 department may provide subsistence payments to a veteran on a month-to-month
17 basis or for a 3-month period. The department may pay subsistence aid for a
18 3-month period if the veteran will be incapacitated for more than 3 months and if
19 earned or unearned income or aid from sources other than those listed in the
20 application will not be available in the 3-month period. The department may grant
21 subsistence aid under this subsection to a veteran whose incapacitation is the result
22 of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and
23 other drug abuse treatment program that is approved by the department.

24 (b) The maximum amount that any veteran may receive under this subsection
25 per occurrence during a consecutive 12-month period may not exceed \$2,000.

1 (2) HEALTH CARE. (a) The department may provide health care aid to a veteran
2 for dental care, including dentures; vision care, including eyeglass frames and
3 lenses; and hearing care, including hearing aids.

4 (b) The maximum amount that may be paid under this subsection for any
5 consecutive 12-month period may not exceed \$2,500 for dental care, \$500 for vision
6 care, and \$1,500 per ear for hearing care.

7 (c) The department may not provide health care aid under this subsection
8 unless the aid recipient's health care provider agrees to accept, as full payment for
9 the health care provided, the amount of the payment, the amount of the recipient's
10 health insurance or other 3rd-party payments, if any, and the amount that the
11 department determines the veteran is capable of paying. The department may not
12 pay health care aid under this subsection if the liquid assets of the veteran are in
13 excess of \$1,000.

14 (3) LIMITATIONS. The total cumulative amount that any veteran may receive
15 under this section may not exceed \$5,000.

16 (4) APPROPRIATIONS. The department may make payments under this section
17 from the appropriation in s. 20.485 (2) (vm). Nothing in this section empowers the
18 department to incur any state debt.

19 (5) JOINT FINANCE SUPPLEMENTAL FUNDING. The department may submit a
20 request to the joint committee on finance for supplemental funds from the veterans
21 trust fund to be credited to the appropriation account under s. 20.485 (2) (vm) to
22 provide payments under this section. The joint committee on finance may, from the
23 appropriation under s. 20.865 (4) (u), supplement the appropriation under s. 20.485
24 (2) (vm) in an amount equal to the amount that the department expects to expend

1 under this section. Notwithstanding s. 13.101 (3) (a), the committee is not required
2 to find that an emergency exists.

3 *~~0324~~/3.1* SECTION 774. 45.356 (2) of the statutes is amended to read:

4 45.356 (2) The department may lend a veteran, a veteran's unremarried
5 surviving spouse, or a deceased veteran's child not more than \$25,000 or a lesser
6 amount established by the department under sub. (10). The department may
7 prescribe loan conditions, but the term of the loan may not exceed 10 years, or a
8 shorter term established by the department under sub. (13). The department shall
9 ensure that the proceeds of any loan made under this section shall first be applied
10 to pay any delinquent child support or maintenance payments and then to pay any
11 past support, medical expenses, or birth expenses.

12 *~~0324~~/3.2* SECTION 775. 45.356 (13) of the statutes is created to read:

13 45.356 (13) Subject to the limit established in sub. (2), the department may
14 periodically adjust the maximum term limits for loans based upon financial market
15 conditions, funds available, needs of the veterans trust fund, or other factors that the
16 department considers relevant.

17 *~~0326~~/1.1* SECTION 776. 45.37 (4) (b) of the statutes is amended to read:

18 45.37 (4) (b) *Basis for eligibility of nonveterans.* Spouses, surviving spouses
19 and parents derive their eligibility from the eligibility of the veteran upon whose
20 service it is based. Surviving spouses and parents of eligible veterans shall not be
21 eligible for admission at a southeastern facility unless the facility's overall occupancy
22 level is below an optimal level as determined by the board. Surviving spouses and
23 parents of eligible veterans shall not be eligible for admission at the home except for
24 those admitted to the home prior to May 5, 1976, or unless the home's overall
25 occupancy level is below an optimal level as determined by the board.

1 ***-0326/1.2* SECTION 777.** 45.37 (4) (c) 1m. c. of the statutes is amended to read:

2 45.37 (4) (c) 1m. c. Surviving spouses of eligible veterans shall be given 3rd
3 priority ~~for admission to the home.~~

4 ***-0326/1.3* SECTION 778.** 45.37 (4) (c) 1m. d. of the statutes is amended to read:

5 45.37 (4) (c) 1m. d. Parents of eligible veterans shall be given 4th priority ~~for~~
6 ~~admission to the home.~~

7 ***-1513/4.6* SECTION 779.** 45.37 (10) (c) of the statutes is amended to read:

8 45.37 (10) (c) The Except where a sale occurs under s. 16.848, the department
9 may manage, sell, lease or transfer property descending to the state pursuant to this
10 section or conveyed to it by members, defend and prosecute all actions concerning it,
11 pay all just claims against it, and do all other things necessary for the protection,
12 preservation and management of such property. All expenditures necessary for the
13 execution of functions under this paragraph or sub. (11) shall be made from the
14 appropriation in s. 20.485 (1) (h).

15 ***-1513/4.7* SECTION 780.** 45.38 (2) (a) 1. of the statutes is amended to read:

16 45.38 (2) (a) 1. Without limitation by reason of any other provisions of the
17 statutes except s. 16.848, the power to sell and to convey title in fee simple to a
18 nonprofit corporation any land and any existing buildings thereon owned by, or
19 owned by the state and held for, the department or of any of the institutions under
20 the jurisdiction of the department for such consideration and upon such terms and
21 conditions as in the judgment of the board are in the public interest.

22 ***-0328/4.25* SECTION 781.** 45.396 (title) of the statutes is repealed.

23 ***-0328/4.26* SECTION 782.** 45.396 (1) of the statutes is repealed.

24 ***-0328/4.27* SECTION 783.** 45.396 (2) of the statutes is repealed.

1 ***-0328/4.28* SECTION 784.** 45.396 (3) of the statutes is renumbered 45.25 (1m)
2 (b), and 45.25 (1m) (b) (intro.) and 1., as renumbered, are amended to read:

3 45.25 (1m) (b) (intro.) A veteran who is a resident of this state and otherwise
4 qualified to receive benefits under this section may receive the benefits under this
5 section upon the completion of any correspondence courses or part-time classroom
6 study from an institution of higher education located outside this state, from a school
7 that is approved under s. 45.35 (9m), or from a proprietary school that is approved
8 under s. 45.54 38.50, if any of the following applies:

 ****NOTE: This is reconciled s. 45.25 (1m) (b) (intro.). This SECTION has been
affected by drafts with the following LRB numbers: LRB-0328, LRB-1510.

9 1. The part-time classroom study is not offered within 50 miles of the veteran's
10 residence by any school or institution under ~~sub. (2)~~ par. (a) and the educational
11 institution from which the study is offered is located not more than 50 miles from the
12 boundary line of this state.

13 ***-0328/4.29* SECTION 785.** 45.396 (4) of the statutes is repealed.

14 ***-0328/4.30* SECTION 786.** 45.396 (5) of the statutes is repealed.

15 ***-0328/4.31* SECTION 787.** 45.396 (5m) of the statutes is repealed.

16 ***-0328/4.32* SECTION 788.** 45.396 (6) of the statutes is repealed.

17 ***-0328/4.33* SECTION 789.** 45.396 (7) (a) of the statutes is repealed.

18 ***-0328/4.34* SECTION 790.** 45.396 (7) (b) of the statutes is renumbered 45.25
19 (2) (bm).

20 ***-0328/4.35* SECTION 791.** 45.396 (8) of the statutes is repealed.

21 ***-0328/4.36* SECTION 792.** 45.396 (9) of the statutes is renumbered 45.25 (5)
22 and amended to read:

1 45.25 (5) DISABLED VETERAN ELIGIBILITY. A disabled veteran who meets the
2 requirements under this section and whose disability is rated at 30% or more under
3 38 USC 1114 or 1134 may be reimbursed for up to 100% of the cost of tuition and fees,
4 but that reimbursement is limited to 100% of the standard cost for a state resident
5 for tuition and fees for an equivalent undergraduate course at the University of
6 Wisconsin-Madison per course ~~and may not be provided to an individual more than~~
7 ~~4 times during any consecutive 12-month period~~ if the tuition and fees are for an
8 undergraduate semester in any institution of higher education.

9 *-1510/2.8* SECTION 793. 45.397 (2) (a) of the statutes is amended to read:

10 45.397 (2) (a) The veteran is enrolled in a training course in a technical college
11 under ch. 38 or in a proprietary school in the state approved by the educational
12 approval board under s. ~~45.54~~ 38.50, other than a proprietary school offering a
13 4-year degree or 4-year program, or is engaged in a structured on-the-job training
14 program that meets program requirements promulgated by the department by rule.

15 *-0328/4.37* SECTION 794. 45.397 (2) (cm) of the statutes is amended to read:

16 45.397 (2) (cm) The veteran requesting a grant has not received
17 reimbursement under s. 45.25 ~~or 45.396~~ for courses completed during the same
18 semester for which a grant would be received under this section.

19 *-0328/4.38* SECTION 795. 45.43 (1) (am) of the statutes is amended to read:

20 45.43 (1) (am) Except as provided under par. (b), the county board may appoint
21 assistant county veterans' service officers who shall be Wisconsin residents who
22 served on active duty, other than active duty for training, under honorable conditions
23 in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and
24 who meet at least one of the conditions listed in s. ~~45.35 (5) (a) 1. a. to d.~~ 45.001 (4)

1 (a) 1. a. to d. and at least one of the conditions listed in s. ~~45.35 (5) (a) 2. a. to c.~~ 45.001

2 (4) (a) 1. a. to d.

3 ***-1510/2.9*** **SECTION 796.** 45.54 (title) of the statutes is renumbered 38.50
4 (title).

5 ***-1510/2.10*** **SECTION 797.** 45.54 (1) (intro.) of the statutes is renumbered
6 38.50 (1) (intro.).

7 ***-1510/2.11*** **SECTION 798.** 45.54 (1) (a) of the statutes is renumbered 38.50 (1)
8 (a) and amended to read:

9 38.50 (1) (a) “~~Beard~~” Notwithstanding s. 38.01 (2), “board” means the
10 educational approval board.

11 ***-1510/2.12*** **SECTION 799.** 45.54 (1) (b) of the statutes is renumbered 38.50 (1)
12 (b).

13 ***-1510/2.13*** **SECTION 800.** 45.54 (1) (c) of the statutes is renumbered 38.50 (1)
14 (c).

15 ***-1510/2.14*** **SECTION 801.** 45.54 (1) (d) of the statutes is renumbered 38.50 (1)
16 (d).

17 ***-1510/2.15*** **SECTION 802.** 45.54 (1) (e) of the statutes is renumbered 38.50 (1)
18 (e).

19 ***-1510/2.16*** **SECTION 803.** 45.54 (1) (f) of the statutes is renumbered 38.50 (1)
20 (f).

21 ***-1510/2.17*** **SECTION 804.** 45.54 (1) (g) of the statutes is renumbered 38.50 (1)
22 (g).

23 ***-1510/2.18*** **SECTION 805.** 45.54 (2) of the statutes is renumbered 38.50 (2).

24 ***-1510/2.19*** **SECTION 806.** 45.54 (3) of the statutes is renumbered 38.50 (3).

1 ***-1510/2.20* SECTION 807.** 45.54 (5) of the statutes is renumbered 38.50 (5)
2 and amended to read:

3 38.50 (5) EMPLOYEES, QUARTERS. The board shall employ a person to perform
4 the duties of an executive secretary and any other persons under the classified
5 service that may be necessary to carry out the board's purpose. The person
6 performing the duties of the executive secretary shall be in charge of the
7 administrative functions of the board. The board shall, to the maximum extent
8 practicable, keep its office with the ~~department~~ technical college system board.

9 ***-1510/2.21* SECTION 808.** 45.54 (7) of the statutes is renumbered 38.50 (7).

10 ***-1510/2.22* SECTION 809.** 45.54 (8) of the statutes is renumbered 38.50 (8).

11 ***-1510/2.23* SECTION 810.** 45.54 (10) (title) of the statutes is renumbered
12 38.50 (10) (title).

13 ***-1510/2.24* SECTION 811.** 45.54 (10) (a) of the statutes is renumbered 38.50
14 (10) (a) and amended to read:

15 38.50 (10) (a) *Authority.* All proprietary schools shall be examined and
16 approved by the board before operating in this state. Approval shall be granted to
17 schools meeting the criteria established by the board for a period not to exceed one
18 year. No school may advertise in this state unless approved by the board. All
19 approved schools shall submit quarterly reports, including information on
20 enrollment, number of teachers and their qualifications, course offerings, number of
21 graduates, number of graduates successfully employed, and such other information
22 as the board deems necessary. If a school closure results in losses to students,
23 parents, or sponsors, the board may authorize the full or partial payment of those
24 losses from the appropriation under s. ~~20.485 (5)~~ 20.292 (2) (gm).

1 ***-1510/2.25* SECTION 812.** 45.54 (10) (b) of the statutes is renumbered 38.50
2 (10) (b).

3 ***-1510/2.26* SECTION 813.** 45.54 (10) (c) of the statutes is renumbered 38.50
4 (10) (c).

5 ***-1510/2.27* SECTION 814.** 45.54 (10) (cm) of the statutes is renumbered 38.50
6 (10) (cm).

7 ***-1510/2.28* SECTION 815.** 45.54 (10) (d) of the statutes is renumbered 38.50
8 (10) (d).

9 ***-1510/2.29* SECTION 816.** 45.54 (10) (e) of the statutes is renumbered 38.50
10 (10) (e).

11 ***-0321/2.1* SECTION 817.** 45.71 (8) of the statutes is amended to read:

12 45.71 (8) “Home” means a building or portion thereof used as ~~the veteran’s~~
13 ~~principal place of by the veteran as a~~ residence, and includes condominiums and
14 income-producing property, a portion of which is so occupied by the veteran, and the
15 land, including existing improvements, appertaining to such a building.

16 ***-0321/2.2* SECTION 818.** 45.71 (12) (a) of the statutes is amended to read:

17 45.71 (12) (a) Is used as ~~the veteran’s principal place of by the veteran as a~~
18 residence; and

19 ***-0321/2.3* SECTION 819.** 45.71 (15) of the statutes is created to read:

20 45.71 (15) “Qualified veterans’ mortgage bonds” means federally tax-exempt
21 bonds issued under the authority of 26 USC 143.

22 ***-0321/2.4* SECTION 820.** 45.71 (16) (d) of the statutes is created to read:

23 45.71 (16) (d) Any person who has completed 6 continuous years of service
24 under honorable conditions in the army or air national guard or in any reserve

1 component of the U.S. armed forces, and who is living in this state at the time of his
2 or her application for benefits, shall be considered a veteran under this subchapter.

3 ***-0321/2.5* SECTION 821.** 45.76 (1) (c) of the statutes is amended to read:

4 45.76 (1) (c) *Home improvements.* A loan of ~~not more than \$25,000~~ to improve
5 a home, including the construction of a garage or the removal or other alteration of
6 existing improvements that were made to improve the accessibility of a home for a
7 disabled individual.

8 ***-0321/2.6* SECTION 822.** 45.76 (1) (d) of the statutes is repealed and recreated
9 to read:

10 45.76 (1) (d) *Refinancing.* Refinancing the balance due on an indebtedness that
11 was incurred for a use designated in pars. (a) to (c).

12 ***-0321/2.7* SECTION 823.** 45.76 (3) (b) 1. of the statutes is amended to read:

13 45.76 (3) (b) 1. The residence property to be purchased, constructed, improved
14 or refinanced with financial assistance under this subchapter will be used as the
15 person's principal by the person as a residence.

16 ***-0321/2.8* SECTION 824.** 45.76 (4) of the statutes is created to read:

17 45.76 (4) **QUALIFIED VETERANS' MORTGAGE BONDS.** If the source of the funding for
18 a loan under this subchapter is the proceeds of a qualified veterans' mortgage bond,
19 the department shall apply any applicable requirements of the Internal Revenue
20 Code in determining a person's eligibility for a loan to assure that the bonds are
21 exempt from federal tax.

22 ***-0404/4.7* SECTION 825.** 46.03 (7) (c) of the statutes is repealed.

23 ***-0404/4.8* SECTION 826.** 46.03 (7) (cm) of the statutes is repealed.

24 ***-1513/4.8* SECTION 827.** 46.03 (30) (a) of the statutes is amended to read:

1 46.03 (30) (a) To provide for an orderly reduction of state institutional primary
2 psychiatric services the department may approve the institutes entering into
3 contracts with county departments under s. 51.42 for providing primary psychiatric
4 care. If excess capacity exists at state operated mental health institutes, the
5 department shall, subject to s. 16.848, explore whether the possible sale or lease of
6 such excess facilities may be sold or leased to a county department under s. 51.42.

7 *–1648/2.16* SECTION 828. 46.03 (43) of the statutes is amended to read:

8 46.03 (43) COMPULSIVE GAMBLING AWARENESS CAMPAIGNS. From the
9 appropriation ~~account~~ accounts under s. 20.435 (7) (kg) and (kh), provide grants to
10 one or more individuals or organizations in the private sector to conduct compulsive
11 gambling awareness campaigns.

12 *–1707/3.1* SECTION 829. 46.033 of the statutes is created to read:

13 **46.033 Personal care services quality improvement.** (1) In this section,
14 “personal care services” means medically oriented activities related to assisting a
15 person with activities of daily living necessary to maintain the person in his or her
16 place of residence in the community.

17 (2) Upon the request of a county board, the department may provide assistance
18 in recruiting and training individuals to provide personal care services.

19 *–0295/2.2* SECTION 830. 46.034 (3) of the statutes is amended to read:

20 46.034 (3) With the agreement of the affected county board of supervisors in
21 a county with a single-county department or boards of supervisors in counties with
22 a multicounty department, effective for the contract period beginning January 1,
23 1980, the department may approve a county with a single-county department or
24 counties participating in a multicounty department to administer a single
25 consolidated aid consisting of the state and federal financial aid available to that

1 county or those counties from appropriations under s. 20.435 ~~(3)(e) and (7)(b) and~~
2 (o) for services provided and purchased by county departments under ss. 46.215,
3 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of
4 improved service coordination and effectiveness, the county board of supervisors in
5 a county with a single-county department or county boards of supervisors in
6 counties with a multicounty department may reallocate among county departments
7 under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be
8 specified for use by a single county department. The budget under s. 46.031 (1) shall
9 be the vehicle for expressing the proposed use of the single consolidated fund by the
10 county board of supervisors in a county with a single-county department or county
11 boards of supervisors in counties with a multicounty department. Approval by the
12 department of this use of the fund shall be in the contract under s. 46.031 (2g).
13 Counties that were selected by the department to pilot test consolidated aids for
14 contract periods beginning January 1, 1978, may continue or terminate
15 consolidation with the agreement of the affected county board of supervisors in a
16 county with a single-county department or county boards of supervisors in counties
17 with a multicounty department.

18 ***-1513/4.9* SECTION 831.** 46.035 (1) (a) of the statutes is amended to read:

19 46.035 (1) (a) The term "existing building" in relation to any conveyance, lease
20 or sublease made under sub. (2) (a) ~~1., 2. and 3., (b), and (c)~~ means all detention,
21 treatment, administrative, recreational, infirmary, hospital, vocational and
22 academic buildings; all dormitories and cottages; all storage facilities, heating
23 plants, sewage disposal plants, and such other buildings, structures, facilities and
24 permanent improvements as in the judgment of the secretary are needed or useful
25 for the purposes of the department, and all equipment therefor and all improvements

1 and additions thereto which were erected, constructed or installed prior to the
2 making of such conveyance, lease or sublease.

3 ***-1513/4.10* SECTION 832.** 46.035 (1) (b) of the statutes is amended to read:

4 46.035 (1) (b) The term "new building" in relation to any conveyance, lease or
5 sublease made under sub. (2) (a) ~~1., 2. and 3.,~~ (b), and (c) means all detention,
6 treatment, administrative, recreational, infirmary, hospital, vocational and
7 academic buildings; all dormitories and cottages; all storage facilities, heating
8 plants, sewage disposal plants, and such other buildings, structures, facilities and
9 permanent improvements as in the judgment of the secretary are needed or useful
10 for the purposes of the department, and all equipment therefor and all improvements
11 and additions thereto which are erected, constructed or installed after the making
12 of such conveyance, lease or sublease.

13 ***-1513/4.11* SECTION 833.** 46.035 (2) (intro.) of the statutes is repealed.

14 ***-1513/4.12* SECTION 834.** 46.035 (2) (a) of the statutes is renumbered 46.035
15 (2), and 46.035 (2) (intro.), (a) and (c) to (j), as renumbered, are amended to read:

16 46.035 (2) (intro.) In order to provide new buildings and to enable the
17 construction and financing thereof, to refinance indebtedness hereafter created by
18 a nonprofit corporation for the purpose of providing a new building or buildings or
19 additions or improvements thereto which are located on land owned by, or owned by
20 the state and held for, the department or on lands of the institutions under the
21 jurisdiction of the department or by the nonprofit corporation, or for any one or more
22 of said purposes, but for no other purpose unless authorized by law, the department
23 has, subject to s. 16.848, the following powers and duties:

24 (a) Without limitation by reason of any other provisions of the statutes except
25 s. 16.848, the power to sell and to convey title in fee simple to a nonprofit corporation

1 any land and any existing buildings thereon owned by, or owned by the state and held
2 for, the department or of any of the institutions under the jurisdiction of the
3 department for such consideration and upon such terms and conditions as in the
4 judgment of the secretary are in the public interest.

5 (c) The power to lease or sublease from such nonprofit corporation, and to make
6 available for public use, any such land and existing buildings conveyed or leased to
7 such nonprofit corporation under ~~subds. 1. and 2.~~ pars. (a) and (b), and any new
8 buildings erected upon such land or upon any other land owned by such nonprofit
9 corporation, upon such terms, conditions and rentals, subject to available
10 appropriations, as in the judgment of the secretary are in the public interest. With
11 respect to any property conveyed to such nonprofit corporation under ~~subd. 1. par.~~
12 (a), such lease from such nonprofit corporation may be subject or subordinated to one
13 or more mortgages of such property granted by such nonprofit corporation.

14 (d) The duty to submit the plans and specifications for all such new buildings
15 and all conveyances, leases and subleases made under this section subsection to the
16 department of administration and the governor for written approval before they are
17 finally adopted, executed and delivered.

18 (e) The power to pledge and assign all or any part of the revenues derived from
19 the operation of such new buildings as security for the payment of rentals due and
20 to become due under any lease or sublease of such new buildings under ~~subd. 3 par.~~
21 (c).

22 (f) The power to covenant and agree in any lease or sublease of such new
23 buildings made under ~~subd. 3. par. (c)~~ to impose fees, rentals or other charges for the
24 use and occupancy or other operation of such new buildings in an amount calculated

1 to produce net revenues sufficient to pay the rentals due and to become due under
2 such lease or sublease.

3 (g) The power to apply all or any part of the revenues derived from the operation
4 of existing buildings to the payment of rentals due and to become due under any lease
5 or sublease made under ~~subd. 3~~ par. (c).

6 (h) The power to pledge and assign all or any part of the revenues derived from
7 the operation of existing buildings to the payment of rentals due and to become due
8 under any lease or sublease made under ~~subd. 3~~ par. (c).

9 (i) The power to covenant and agree in any lease or sublease made under ~~subd.~~
10 ~~3.~~ par. (c) to impose fees, rentals or other charges for the use and occupancy or other
11 operation of existing buildings in an amount calculated to produce net revenues
12 sufficient to pay the rentals due and to become due under such lease or sublease.

13 (j) The power and duty, upon receipt of notice of any assignment by any such
14 nonprofit corporation of any lease or sublease made under ~~subd. 3.~~ par. (c), or of any
15 of its rights under any such sublease, to recognize and give effect to such assignment,
16 and to pay to the assignee thereof rentals or other payments then due or which may
17 become due under any such lease or sublease which has been so assigned by such
18 nonprofit corporation.

19 ***-1513/4.13* SECTION 835.** 46.035 (2) (b) of the statutes is renumbered 46.035
20 (3) and amended to read:

21 46.035 (3) The state ~~shall be~~ is liable for accrued rentals and for any other
22 default under any lease or sublease made under ~~par. (a) 3.~~ sub. (2) (c), and may be
23 sued therefor on contract as in other contract actions pursuant to ch. 775, except that
24 it ~~shall not be~~ is not necessary for the lessor under any such lease or sublease or any
25 assignee of such lessor or any person or other legal entity proceeding on behalf of such

1 lessor to file any claim with the legislature prior to the commencement of any such
2 action.

3 ***-1513/4.14* SECTION 836.** 46.035 (2) (c) of the statutes is renumbered 46.035
4 (4).

5 ***-1513/4.15* SECTION 837.** 46.035 (2) (d) of the statutes is repealed.

6 ***-1513/4.16* SECTION 838.** 46.035 (2) (e) of the statutes is renumbered 46.035
7 (5) and amended to read:

8 46.035 (5) All laws, except s. 16.848 and ch. 150, ~~conflicting that conflict~~ with
9 any provisions of this section, are, insofar as they conflict with this section and no
10 further, superseded by this section.

11 ***-0248/1.1* SECTION 839.** 46.057 (2) of the statutes is amended to read:

12 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
13 department of corrections shall transfer to the appropriation account under s. 20.435
14 (2) (kx) \$1,379,300 in fiscal year 2003-04 2005-06 and \$1,379,300 in fiscal year
15 2004-05 2006-07 and, from the appropriation account under s. 20.410 (3) (hm), the
16 department of corrections shall transfer to the appropriation account under s. 20.435
17 (2) (kx) ~~\$2,086,700~~ \$2,271,200 in fiscal year 2003-04 2005-06 and ~~\$2,155,600~~
18 \$2,390,600 in fiscal year 2004-05 2006-07 for services for juveniles placed at the
19 Mendota juvenile treatment center. The department of health and family services
20 may charge the department of corrections not more than the actual cost of providing
21 those services.

22 ***-1513/4.17* SECTION 840.** 46.06 (intro.) of the statutes is created to read:

23 **46.06 Lands; condemnation, easements, leases, sales, purchases.**
24 (intro.) Subject to s. 16.848:

25 ***-1417/P4.3* SECTION 841.** 46.07 of the statutes is amended to read:

1 **46.07 Property of patients or residents.** All money including wages and
2 other property delivered to an officer or employee of any institution for the benefit
3 of a patient or resident shall forthwith be delivered to the steward, who shall enter
4 the same money upon the steward's books to the credit of the patient or resident. The
5 property shall be used only under the direction and with the approval of the
6 superintendent and for the crime victim and witness assistance surcharge under s.
7 973.045 (4), the delinquency victim and witness assistance surcharge under s. 938.34
8 (8d) (c), the child abuse prevention and child mental health surcharge under s.
9 973.044 (4), the deoxyribonucleic acid analysis surcharge under s. 973.046 or the
10 benefit of the patient or resident. If the money remains uncalled for for one year after
11 the patient's or resident's death or departure from the institution, the
12 superintendent shall deposit the same money in the general fund. If any patient or
13 resident leaves property, other than money, uncalled for at an institution for one year,
14 the superintendent shall sell the property, and the proceeds shall be deposited in the
15 general fund. If any person satisfies the department, within 5 years after the deposit,
16 of his or her right to the deposit, the department shall direct the department of
17 administration to draw its warrant in favor of the claimant and it shall charge the
18 same to the appropriation made by s. 20.913 (3) (c).

19 *–1513/4.18* **SECTION 842.** 46.09 (intro.) of the statutes is created to read:

20 **46.09 Purchases, bills, audits, payments.** (intro.) Subject to s. 16.848:

21 *–0084/3.2* **SECTION 843.** 46.10 (14) (a) of the statutes is amended to read:

22 46.10 (14) (a) Except as provided in pars. (b) and (c), liability of a person
23 specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons
24 under 18 years of age at community mental health centers, a county mental health
25 complex under s. 51.08, the centers for the developmentally disabled, the Mendota

1 Mental Health Institute, and the Winnebago Mental Health Institute or care and
2 maintenance of persons under 18 years of age in residential, nonmedical facilities
3 such as group homes, foster homes, treatment foster homes, ~~child caring institutions,~~
4 subsidized guardianship homes, residential care centers for children and youth, and
5 juvenile correctional institutions is determined in accordance with the cost-based
6 fee established under s. 46.03 (18). The department shall bill the liable person up
7 to any amount of liability not paid by an insurer under s. 632.89 (2) or (2m) or by other
8 3rd-party benefits, subject to rules that include formulas governing ability to pay
9 promulgated by the department under s. 46.03 (18). Any liability of the patient not
10 payable by any other person terminates when the patient reaches age 18, unless the
11 liable person has prevented payment by any act or omission.

12 ***-0084/3.3* SECTION 844.** 46.10 (14) (b) of the statutes is amended to read:

13 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
14 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the
15 parent's minor child who has been placed by a court order under s. 48.355 or 48.357
16 in a residential, nonmedical facility such as a group home, foster home, treatment
17 foster home, subsidized guardianship home, or residential care center for children
18 and youth shall be determined by the court by using the percentage standard
19 established by the department of workforce development under s. 49.22 (9) and by
20 applying the percentage standard in the manner established by the department
21 under s. 46.247.

22 ***-0311/3.1* SECTION 845.** 46.10 (16) of the statutes is amended to read:

23 46.10 (16) The department shall delegate to county departments under ss.
24 51.42 and 51.437 or the local providers of care and services meeting the standards
25 established by the department under s. 46.036, the responsibilities vested in the

1 department under this section for collection of patient fees for services other than
2 those provided at state facilities or those provided to children that are reimbursed
3 under a waiver under s. 46.27 (11), 46.275, ~~or, 46.278,~~ or 46.2785 or a waiver
4 requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act
5 33, section 9124 (8c), if the county departments or providers meet the conditions that
6 the department determines are appropriate. The department may delegate to
7 county departments under ss. 51.42 and 51.437 the responsibilities vested in the
8 department under this section for collection of patient fees for services provided at
9 the state facilities if the necessary conditions are met.

10 ***-0404/4.9* SECTION 846.** 46.16 (2) of the statutes is amended to read:

11 46.16 (2) CHILD WELFARE AGENCIES; FOSTER HOMES; TREATMENT FOSTER HOMES;
12 ~~CHILD CARE CENTERS; DAY NURSERIES; NURSERY SCHOOLS.~~ It. The department may
13 license and revoke licenses of and exercise supervision over all child welfare agencies
14 and the placement of children in foster homes and treatment foster homes, and grant
15 ~~permits licenses~~ licenses to foster homes, and treatment foster homes, ~~child care centers, day~~
16 ~~nurseries and nursery schools.~~ In the discharge of this duty it the department may
17 inspect the records of child welfare agencies, ~~child care centers, day nurseries,~~
18 ~~nursery schools~~ and visit all institutions ~~conducted by them~~ operated by child
19 welfare agencies and all foster homes and treatment foster homes in which children
20 are placed.

21 ***-0404/4.10* SECTION 847.** 46.16 (2m) of the statutes is repealed.

22 ***-0404/4.11* SECTION 848.** 46.16 (2s) of the statutes is repealed.

23 ***-0295/2.3* SECTION 849.** 46.215 (2) (c) 1. of the statutes is amended to read:

24 46.215 (2) (c) 1. A county department of social services shall develop, under the
25 requirements of s. 46.036, plans and contracts for care and services to be purchased,

1 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
2 of health and family services may review the contracts and approve them if they are
3 consistent with s. 46.036 and if state or federal funds are available for such purposes.
4 The joint committee on finance may require the department of health and family
5 services to submit the contracts to the committee for review and approval. The
6 department of health and family services may not make any payments to a county
7 for programs included in a contract under review by the committee. The department
8 of health and family services shall reimburse each county for the contracts from the
9 appropriations under s. 20.435 (3) ~~(e)~~ and (7) (b) and (o), as appropriate, under s.
10 46.495.

11 ***-0295/2.4* SECTION 850.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

12 46.22 (1) (e) 3. a. A county department of social services shall develop, under
13 the requirements of s. 46.036, plans and contracts for care and services, except under
14 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and
15 family services may review the contracts and approve them if they are consistent
16 with s. 46.036 and to the extent that state or federal funds are available for such
17 purposes. The joint committee on finance may require the department of health and
18 family services to submit the contracts to the committee for review and approval.
19 The department of health and family services may not make any payments to a
20 county for programs included in the contract that is under review by the committee.
21 The department of health and family services shall reimburse each county for the
22 contracts from the appropriations under s. 20.435 (3) ~~(e)~~ and (7) (b) and (o) according
23 to s. 46.495.

24 ***-0084/3.4* SECTION 851.** 46.261 (1) (a) of the statutes is amended to read:

1 46.261 (1) (a) The child is living in a foster home or treatment foster home
2 licensed under s. 48.62 if a license is required under that section, in a foster home
3 or treatment foster home located within the boundaries of a federally recognized
4 American Indian reservation in this state and licensed by the tribal governing body
5 of the reservation, in a group home licensed under s. 48.625, in a subsidized
6 guardianship home under s. 48.62 (5), or in a residential care center for children and
7 youth licensed under s. 48.60, and has been placed in the foster home, treatment
8 foster home, group home, subsidized guardianship home, or center by a county
9 department under s. 46.215, 46.22, or 46.23, by the department, or by a federally
10 recognized American Indian tribal governing body in this state under an agreement
11 with a county department under s. 46.215, 46.22, or 46.23.

12 *–0084/3.5* **SECTION 852.** 46.261 (2) (a) 1. of the statutes is amended to read:

13 46.261 (2) (a) 1. A nonrelative who cares for the dependent child in a foster
14 home or treatment foster home having a license under s. 48.62, in a foster home or
15 treatment foster home located within the boundaries of a federally recognized
16 American Indian reservation in this state and licensed by the tribal governing body
17 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian
18 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor
19 custodial parent who cares for the dependent child, regardless of the cause or
20 prospective period of dependency. The state shall reimburse counties pursuant to the
21 procedure under s. 46.495 (2) and the percentage rate of participation set forth in s.
22 46.495 (1) (d) for aid granted under this section except that if the child does not have
23 legal settlement in the granting county, state reimbursement shall be at 100%. The
24 county department under s. 46.215 or 46.22 or the department under s. 48.48 (17)
25 shall determine the legal settlement of the child. A child under one year of age shall

1 be eligible for aid under this subsection irrespective of any other residence
2 requirement for eligibility within this section.

3 *–0084/3.6* SECTION 853. 46.261 (2) (a) 3. of the statutes is amended to read:

4 46.261 (2) (a) 3. A county or, in a county having a population of 500,000 or more,
5 the department, when the child is placed in a licensed foster home, treatment foster
6 home, group home, or residential care center for children and youth or in a subsidized
7 guardianship home by a licensed child welfare agency or by a federally recognized
8 American Indian tribal governing body in this state or by its designee, if the child is
9 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the
10 department under s. 48.48 (17) or if the child was removed from the home of a
11 relative, as defined under s. 48.02 (15), as a result of a judicial determination that
12 continuance in the home of the relative would be contrary to the child's welfare for
13 any reason and the placement is made pursuant to an agreement with the county
14 department or the department.

15 *–0084/3.7* SECTION 854. 46.261 (2) (a) 4. of the statutes is amended to read:

16 46.261 (2) (a) 4. A licensed foster home, treatment foster home, group home,
17 or residential care center for children and youth or a subsidized guardianship home
18 when the child is in the custody or guardianship of the state, when the child is a ward
19 of an American Indian tribal court in this state and the placement is made under an
20 agreement between the department and the tribal governing body, or when the child
21 was part of the state's direct service case load and was removed from the home of a
22 relative, as defined under s. 48.02 (15), as a result of a judicial determination that
23 continuance in the home of a relative would be contrary to the child's welfare for any
24 reason and the child is placed by the department.

25 *–0084/3.8* SECTION 855. 46.261 (2) (b) of the statutes is amended to read:

1 46.261 (2) (b) Notwithstanding par. (a), aid under this section may not be
2 granted for placement of a child in a foster home or treatment foster home licensed
3 by a federally recognized American Indian tribal governing body, for placement of a
4 child in a foster home, treatment foster home, group home, subsidized guardianship
5 home, or residential care center for children and youth by a tribal governing body or
6 its designee, or for the placement of a child who is a ward of a tribal court if the tribal
7 governing body is receiving or is eligible to receive funds from the federal government
8 for that type of placement ~~or for placement of a child in a group home licensed under~~
9 ~~s. 48.625.~~

10 *~~0311/3.2~~* SECTION 856. 46.27 (5) (i) of the statutes is amended to read:

11 46.27 (5) (i) In the instances in which an individual who is provided long-term
12 community support services under par. (b) for which the individual receives direct
13 funding, serve directly as a fiscal agent or contract with a fiscal intermediary to serve
14 as a fiscal agent for that individual for the purposes of performing the responsibilities
15 and protecting the interests of the individual under the unemployment insurance
16 law. The county department or aging unit may elect to act as a fiscal agent or contract
17 with a fiscal intermediary to serve as a fiscal agent for an individual who is provided
18 long-term support services under s. 46.275, 46.277, 46.278, 46.2785, 46.495, 51.42,
19 or 51.437. The fiscal agent under this paragraph is responsible for remitting any
20 federal unemployment compensation taxes or state unemployment insurance
21 contributions owed by the individual, including any interest and penalties which are
22 owed by the individual; for serving as the representative of the individual in any
23 investigation, meeting, hearing or appeal involving ch. 108 or the federal
24 unemployment tax act (26 USC 3301 to 3311) in which the individual is a party; and
25 for receiving, reviewing, completing and returning all forms, reports and other

documents required under ch. 108 or the federal unemployment tax act on behalf of the individual. An individual may make an informed, knowing and voluntary election to waive the right to a fiscal agent. The waiver may be as to all or any portion of the fiscal agent's responsibilities. The waiver may be rescinded in whole or in part at any time.

***-0311/3.3* SECTION 857.** 46.27 (6r) (a) of the statutes is amended to read:

46.27 (6r) (a) A person who is initially eligible for services under sub. (7) (b), for whom home and community-based services are available under sub. (11) or s. 46.275, 46.277 ~~or~~, 46.278, or 46.2785 that require less total expenditure of state funds than do comparable services under sub. (7) (b) and who is eligible for and offered the home and community-based services under sub. (11) or s. 46.275, 46.277 ~~or~~, 46.278, or 46.2785, but who declines the offer, except that a county may use funds received under sub. (7) (b) to pay for long-term community support services for the person for a period of up to 90 days during which an application for services under sub. (11) or s. 46.275, 46.277 ~~or~~, 46.278, or 46.2785 for the person is processed.

***-1649/6.27* SECTION 858.** 46.27 (9) (a) of the statutes is amended to read:

46.27 (9) (a) The department may select up to 5 counties that volunteer to participate in a pilot project under which they will receive certain funds allocated for long-term care. The department shall allocate a level of funds to these counties equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gp), ~~(r)~~, ~~(rg)~~, or (w) to nursing homes for providing care because of increased utilization of nursing home services, as estimated by the department. In estimating these levels, the department shall exclude any increased utilization of services provided by state centers for the developmentally disabled. The department shall calculate these amounts on a calendar year basis under sub. (10).

1 ***-1649/7.28* SECTION 859.** 46.27 (9) (a) of the statutes, as affected by 2005
2 Wisconsin Act (this act), is amended to read:

3 46.27 (9) (a) The department may select up to 5 counties that volunteer to
4 participate in a pilot project under which they will receive certain funds allocated for
5 long-term care. The department shall allocate a level of funds to these counties
6 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gp), (r), ~~(rg)~~,
7 or (w) to nursing homes for providing care because of increased utilization of nursing
8 home services, as estimated by the department. In estimating these levels, the
9 department shall exclude any increased utilization of services provided by state
10 centers for the developmentally disabled. The department shall calculate these
11 amounts on a calendar year basis under sub. (10).

12 ***-1649/6.28* SECTION 860.** 46.27 (10) (a) 1. of the statutes is amended to read:

13 46.27 (10) (a) 1. The department shall determine for each county participating
14 in the pilot project under sub. (9) a funding level of state medical assistance
15 expenditures to be received by the county. This level shall equal the amount that the
16 department determines would otherwise be paid under s. 20.435 (4) (b), (gp), ~~(r)~~, ~~(rg)~~,
17 or (w) because of increased utilization of nursing home services, as estimated by the
18 department.

19 ***-1649/6.28* SECTION 861.** 46.27 (10) (a) 1. of the statutes, as affected by 2005
20 Wisconsin Act (this act), is amended to read:

21 46.27 (10) (a) 1. The department shall determine for each county participating
22 in the pilot project under sub. (9) a funding level of state medical assistance
23 expenditures to be received by the county. This level shall equal the amount that the
24 department determines would otherwise be paid under s. 20.435 (4) (b), (gp), (r), ~~(rg)~~,

1 or (w) because of increased utilization of nursing home services, as estimated by the
2 department.

3 *~~0311/3.4~~* SECTION 862. 46.27 (11) (a) of the statutes is repealed.

4 *~~1649/6.29~~* SECTION 863. 46.275 (5) (a) of the statutes is amended to read:

5 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the
6 department under sub. (3r), provides under this program is available from the
7 appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), (rg), and (w). If 2 or more
8 counties jointly contract to provide services under this program and the department
9 approves the contract, Medical Assistance reimbursement is also available for
10 services provided jointly by these counties.

11 *~~1649/6.29~~* SECTION 864. 46.275 (5) (a) of the statutes, as affected by 2005
12 Wisconsin Act (this act), is amended to read:

13 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the
14 department under sub. (3r), provides under this program is available from the
15 appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), ~~(rg)~~, and (w). If 2 or more
16 counties jointly contract to provide services under this program and the department
17 approves the contract, Medical Assistance reimbursement is also available for
18 services provided jointly by these counties.

19 *~~0350/1~~* SECTION 865. 46.275 (5) (b) 1. of the statutes is amended to read:

20 46.275 (5) (b) 1. Purchase land or construct buildings, unless the purchase or
21 construction is determined necessary by the department.

22 *~~1649/6.30~~* SECTION 866. 46.275 (5) (c) of the statutes is amended to read:

23 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gp), (o), (r), (rg), and
24 (w) to counties and to the department under sub. (3r) for services provided under this
25 section may not exceed the amount approved by the federal department of health and